

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SHYANDREA AND MARY )  
HESTER, et al., . )

Plaintiffs, )

CIVIL ACTION NO.:  
CV-06-572-DRB

v. )  
LOWNDES COUNTY COMMISSION, )  
CHRISTOPHER BROWN, )  
EMERGSTAT, DEPUTY JIMMY )  
HARRIS, et al., )

Defendants. )

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**AFFIDAVIT**

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THE STATE OF ALABAMA )  
 )  
LOWNDES COUNTY )

Before me, the undersigned, a Notary Public, personally appeared SHYANDREA HESTER, who being first duly sworn, deposes and says that she is over the age of nineteen (19), citizen of the United States of America, and a resident of Lowndes County, Alabama;

Affiant further deposes and says, as follows:

My name is Shyandrea Hester and on May 28, 2004 I was involved in an automobile accident with another vehicle. I sustained injuries which included me bumping the left side of my head. As a precaution my mother, Mrs. Mary Hester, had the police at the scene summon an ambulance to transport me to the hospital to be checked out. When the ambulance arrived there were two paramedics, Christopher Brown and Lenay, ( last name unknown at this time) after a brief examination they said all of my vital signs were fine, but they recommended a follow up to the hospital because you never know for sure. I along with my mother

elected to go to the hospital, by ambulance as recommended by Chris and Lenay who were both employed by Emergystat, the ambulance company that responded to the scene of the accident. During the ride to the hospital, Christopher Brown started to attempt to start an I.V., into my arm. The needle was large and extremely painful so I started to scream and asked him repeatedly to stop trying to insert the needle into my arm. My mother startled by my screams, asked Christopher Brown why he was doing this and he replied as a precaution. I could not stand the pain, because the needle was so big, so I attempted to move my arm away, but could not because I was strapped onto the stretcher.

My mother and I both continuously requested and pleaded with Christopher Brown to let me off the stretcher and stop trying to administer the I V. and each time he emphatically said no. As I became extremely distressed and almost hysterical, my mother, in seeing that I was becoming very distraught, asked that we be allowed to get out of the ambulance. We stated we would sign a refusal of treatment form if we were allowed to get out of the ambulance, but we wanted out of that ambulance.

Each time my mother and I asked to leave, Christopher Brown became increasingly hostile, angry and abusive in his tone and mannerism. He started to demand that my mother leave the ambulance, but he would not let me leave and insisted and demanded that I had to stay in the ambulance until I got to the emergency room.

He subsequently had the driver to pull the ambulance to the side of the road and demanded that my mother get out of the ambulance without me and she refused. Apparently, he summoned the police, because a little while later an officer arrived and after speaking with Emergyst Employees, Mr. Brown and Lenay, he threatened to arrest my mother if she did not leave the ambulance.

The officer later forcibly removed my mother from the ambulance by taking her by the arm and pulling her out of the ambulance. She still did not want to leave me there in the ambulance, but being afraid that he was going to arrest my mother and under duress, I told her to go ahead and leave with the officer because I was afraid she would be hurt or get arrested if she did not leave.

My mother in tears asked Lenay, the driver, to look after me until she could get to the hospital. Had I not been restrained on the stretcher, against my will, I would have gotten off the ambulance with my mother. I never changed my mind about wanting to be released from the stretcher and get away from the abusive treatment that my mother and I had been subjected to. I was fully aware that my injuries were not life threatening and I repeatedly refused treatment and was willing to sign a release to that fact. I did not consent to having an I. V., inserted in my arm, it was excruciatingly painful when he attempted it. Christopher Brown refused to allow me to leave that ambulance, even after I repeatedly asked to leave and refused treatment and did not want to have an I V administered.

Once we arrived at the hospital, my family was not allowed to see me immediately because I was told that Christopher Brown had instructed the hospital staff, to keep them away from me.

Further Affiant sayeth not:

s/Shyandrea Hester

Affiant - Shyandrea Hester

SWORN to and subscribed before on this the 22<sup>nd</sup> day of March, 2007.

s/Krista Adams

NOTARY PUBLIC

My Commission Expires:

10/05/2010